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Security Council

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Letter dated 9 January 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 22 December 2000, from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would bring the communication to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 22 December 2000 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I would be grateful if you could arrange to transmit to the President of the Security Council the attached letter (see enclosure) informing the Security Council of the intention of the International Atomic Energy Agency (IAEA) to conduct a safeguards inspection in Iraq in accordance with the Safeguards Agreement concluded between Iraq and IAEA pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons.

(*Signed*) Mohamed **ElBaradei**

Enclosure

Letter dated 22 December 2000 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

As I reported to the Security Council in my letter of 10 December 1999, the International Atomic Energy Agency (IAEA) has dual legal obligations with respect to verification in Iraq: those arising from the safeguards agreement concluded between Iraq and IAEA pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons (hereafter referred to as "the NPT Safeguards Agreement") and those arising under Security Council resolution 687 (1991) and other relevant Security Council resolutions.

During the time IAEA was able to perform its mandate in Iraq pursuant to the above resolutions, the activities to be carried out by it in Iraq pursuant to the NPT Safeguards Agreement were subsumed under the more comprehensive and intrusive activities pursuant to the Security Council resolutions. Since 15 December 1998, however, IAEA has been unable to carry out its Security Council-mandated activities in Iraq.

In accordance with the IAEA safeguards system, IAEA is required to carry out a physical inventory verification ("PIV") of the remaining nuclear material in Iraq once every calendar year, but in any case not less frequently than every 14 months. The last PIV was completed on 25 January 2000. In view of the IAEA's inability to date to resume verification activities under the relevant Security Council resolutions and implement as part of those activities its obligations under the NPT Safeguards Agreement, IAEA intends to carry out another PIV in January 2001.

While all weapons-usable nuclear material (i.e. all plutonium and highly enriched uranium) has been removed from Iraq in accordance with paragraph 12 of Security Council resolution 687 (1991), the nuclear material remaining in Iraq includes a significant amount of low enriched and natural uranium. This material needs to be verified to ensure that it has been, and remains, accounted for, unaltered, under IAEA seal.

I would like to stress again that such verification would have the limited objective of verifying the declared nuclear material in question. It would not, and could not, serve as a substitute for IAEA activities under the relevant Security Council resolutions, which are essential if IAEA is to fulfil the mandate entrusted to it by the Security Council under those resolutions and to provide the necessary assurances sought by the Security Council.

(*Signed*) Mohamed **ElBaradei**